733.101

year with the organization, and the annual amount required for advance financing will be at least \$50,000; and

(c) The Office of Financial Management, Cash Management and Payment Division (FM/CMP) agrees that the LOC payment method is appropriate.

[56 FR 67225, Dec. 30, 1991, as amended at 61 FR 39093, July 26, 1996]

## 732.406-72 Establishing an LOC.

- (a) While the contract will provide for the use of an LOC when it is justified under subsection 732.406-71, the LOC is a separate agreement between the contractor and FM/CMP, acting on behalf of the AID Controller. The terms and conditions of the LOC are established by FM/CMP/GIB.
- (b) In order to establish or amend an LOC, the contracting officer shall provide FM/CMP with the following information:
  - (1) The name of the Contractor;
- (2) The official 16 digit AID contract number;
- (3) The obligated amount of the contract;
- (4) The budget plan code for the obligated funds;
- (5) The effective date and estimated completion date.
- (6) The contractor Federal Tax Identification Number.

This information should be provided in writing to FM/CMP together with a request to establish or amend an LOC as early in the negotiation cycle as possible.

(c) FM/CMP will prepare the LOC in accordance with AID's LOC procedures; issue or amend and maintain the LOC in accordance with its terms and AID procedures and regulations; and provide the contracting officer(s) a copy of each LOC and any other material governing its use at the time the LOC is issued or when it is amended or modified.

[56 FR 67225, Dec. 30, 1991, as amended at 61 FR 39093, July 26, 1996]

## 732.406-73 LOC contract clause.

If payment is to be provided by LOC, the contract shall contain the clause in subsection 752.232–70.

#### 732.406-74 Revocation of the LOC.

If during the term of the contract FM/CMP believes that the LOC should be revoked, FM/CMP may, after consultation with the cognizant contracting officer(s) and GC, revoke the LOC by written notification to the contractor. A copy of any such revocation notice will immediately be provided to the cognizant contracting officer(s).

# PART 733—PROTESTS, DISPUTES, AND APPEALS

#### Subpart 733.1—Protests

Sec.

733.101 Definitions.

733.103-70 Protest to the agency.

733.103-71 Filing of protest.

733.103-72 Responsibilities.

733.103-73 Protests excluded from consideration.

## Subpart 733.27—A.I.D. Procedures for Disputes and Appeals

733.270-1 Designation of Armed Services Board of Contract Appeals (ASBCA) to hear and determine appeals under A.I.D. contracts.

733.270-2 Special procedures regarding contract disputes appeals promulgated pursuant to paragraph 2 of the Administrator's designation.

AUTHORITY: Sec. 621. Pub. L. 87–195, 73 Stat. 445 (22 U.S.C. 2381), as amended: E.O. 12163, Sept. 29, 1979, 44 FR 56673, 3 CFR, 1979 Comp. p. 435.

# Subpart 733.1—Protests

SOURCE: 61 FR 39094, July 26, 1996, unless otherwise noted.

# 733.101 Definitions.

- (a) "Procurement Executive" is defined in AIDAR 702.170-13.
- (b) All ''days'' referred to in this subpart are deemed to be ''calendar days'', in accordance with FAR 33.101. In the case of USAID overseas offices with non-Saturday/Sunday weekend schedules, the official post weekend applies in lieu of Saturday and Sunday.
- (c) All other terms defined in FAR 33.101 are used herein with the same meaning.